

From: [Marwan Daher](#)
To: [Melendez, Brian](#); [Alexander Taylor](#)
Cc: [Mohammed Badwan](#); [JEFF COLLINS](#); [Gear, Autumn](#); [Jessica Madrid](#)
Subject: RE: Gephart v. TD Bank USA, N.A., No. 2:22-cv-01652-SMM (D. Ariz.): Notice of deposition (Trans Union, LLC)
Date: Thursday, August 17, 2023 3:47:00 PM
Attachments: [image001.jpg](#)
[image006.png](#)
[image007.png](#)
[image008.jpg](#)
[image009.png](#)
[image010.jpg](#)
[image011.jpg](#)

Hi Brian,

I hope all is well. Per Transunion's policy, which is also e-Oscar's policy, if an account is changed in response to a consumer dispute, the furnisher automatically receives what's called a Dispute Response Notification from the credit reporting agency. A DR Notification is a notice that an account has been modified or deleted due to a dispute response, a non-response to a dispute (by the response due date) or as a result of a Consumer Reporting Agency's internal reinvestigation (as specified in Section 611(a)(5)(A)(ii) of the FCRA). Images included with a Notification shall be considered a part of such Notification.

Unfortunately, the affidavit you provided did not mention this DR Notification only an ACDV. Even more, your client was put on notice by Equifax, which in turn provides notice to all other CRAs and your client. Please provide a date for your client's deposition as soon as possible. My client is also willing to negotiate a reasonable settlement. Thanks in advance.

Best Regards,

Marwan R. Daher,

Attorney at Law

Atlas Consumer Law – a Division of Sulaiman Law Ltd.

2500 South Highland Avenue

Suite 200

Lombard, Illinois 60148

Phone: (630) 575 – 8181, ext. 109

Direct: (630) 537 – 1770

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From: Melendez, Brian <brian.melendez@btlaw.com>

Sent: Thursday, August 17, 2023 3:28 PM

To: Marwan Daher <mdaher@sulaimanlaw.com>; Alexander Taylor <ataylor@sulaimanlaw.com>

Cc: Mohammed Badwan <mbadwan@sulaimanlaw.com>; JEFF COLLINS <JCollins@JSHFIRM.com>; Gear, Autumn <autumn.gear@btlaw.com>; Jessica Madrid <jmadrid@sulaimanlaw.com>

Subject: RE: Gephart v. TD Bank USA, N.A., No. 2:22-cv-01652-SMM (D. Ariz.): Notice of deposition (Trans Union, LLC)

Marwan and Alexander:

I have forwarded the deposition notice to my client. I will follow up with you when I hear back.

Meanwhile, though, I attach a declaration from Trans Union confirming that TU never sent notice to TD about Ms. Gephart's dispute. Since lack of such notice is a complete defense to Ms. Gephart's claim against TD, I renew my request that she dismiss that claim.

BRM

Brian Melendez | Partner

Barnes & Thornburg LLP

225 S. Sixth Street Suite 2800, Minneapolis, MN 55402

Direct: (612) 367-8734



From: Marwan Daher <mdaher@sulaimanlaw.com>

Sent: Wednesday, August 16, 2023 3:50 PM

To: Melendez, Brian <brian.melendez@btlaw.com>; Alexander Taylor <ataylor@sulaimanlaw.com>

Cc: Mohammed Badwan <mbadwan@sulaimanlaw.com>; JEFF COLLINS <JCollins@JSHFIRM.com>; Gear, Autumn <autumn.gear@btlaw.com>; Jessica Madrid <jmadrid@sulaimanlaw.com>

Subject: [EXTERNAL] RE: Gephart v. TD Bank USA, N.A., No. 2:22-cv-01652-SMM (D. Ariz.): Notice of deposition (Trans Union, LLC)

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Hello Brian,

I hope all is well. Please see attached Notice of Deposition scheduled for September 5, 2023. As you know, the close of fact discovery is fast approaching so please let me know asap if this date and time does not work for your client.

Also, do you have time this week or early next week to get on a call to discuss the trajectory of this case and chance for resolution. Thanks in advance.

Best Regards,

Marwan R. Daher,

Attorney at Law

Atlas Consumer Law – a Division of Sulaiman Law Ltd.

2500 South Highland Avenue

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Lombard, Illinois 60148

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From: Melendez, Brian <brian.melendez@btlaw.com>

Sent: Friday, August 11, 2023 3:46 PM

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To: Marwan Daher <mdaher@sulaimanlaw.com>; Alexander Taylor <ataylor@sulaimanlaw.com>
Cc: Mohammed Badwan <mbadwan@sulaimanlaw.com>; JEFF COLLINS <JCollins@JSHFIRM.com>;
Gear, Autumn <autumn.gear@btlaw.com>

Subject: RE: Gephart v. TD Bank USA, N.A., No. 2:22-cv-01652-SMM (D. Ariz.): Notice of deposition (Trans Union, LLC)

I just had an exchange with TU's attorney. We are not proceeding with the deposition on Monday.

BRM

From: Melendez, Brian

Sent: Friday, August 11, 2023 1:00 PM

To: 'Marwan Daher' <mdaher@sulaimanlaw.com>; Alexander Taylor <ataylor@sulaimanlaw.com>

Cc: Mohammed Badwan <mbadwan@sulaimanlaw.com>; JEFF COLLINS <JCollins@JSHFIRM.com>;
Gear, Autumn <autumn.gear@btlaw.com>

Subject: RE: Gephart v. TD Bank USA, N.A., No. 2:22-cv-01652-SMM (D. Ariz.): Notice of deposition (Trans Union, LLC)

As far as I know, the deposition is going forward. The Zoom link is in the deposition notice, of which I attach another copy.

BRM

From: Marwan Daher <mdaher@sulaimanlaw.com>

Sent: Friday, August 11, 2023 12:47 PM

To: Melendez, Brian <brian.melendez@btlaw.com>; Alexander Taylor <ataylor@sulaimanlaw.com>

Cc: Mohammed Badwan <mbadwan@sulaimanlaw.com>; JEFF COLLINS <JCollins@JSHFIRM.com>;
Gear, Autumn <autumn.gear@btlaw.com>

Subject: [EXTERNAL] RE: Gephart v. TD Bank USA, N.A., No. 2:22-cv-01652-SMM (D. Ariz.): Notice of deposition (Trans Union, LLC)

Caution: This email originated from outside the Firm.

Hi Brian,

I hope all is well. We have not heard whether this deposition is going on Monday. If so, please provide the zoom information so we may appear. Thanks in advance.

Best Regards,

Marwan R. Daher,

Attorney at Law

Atlas Consumer Law – a Division of Sulaiman Law Ltd.

2500 South Highland Avenue

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From: Melendez, Brian <brian.melendez@btlaw.com>

Sent: Thursday, July 6, 2023 2:01 PM

To: Alexander Taylor <ataylor@sulaimanlaw.com>; Marwan Daher <mdaher@sulaimanlaw.com>

Cc: Mohammed Badwan <mbadwan@sulaimanlaw.com>; JEFF COLLINS <JCollins@JSHFIRM.com>; Gear, Autumn <autumn.gear@btlaw.com>

Subject: Gephart v. TD Bank USA, N.A., No. 2:22-cv-01652-SMM (D. Ariz.): Notice of deposition (Trans Union, LLC)

This message's attachments contains at least one web link. This is often used for phishing attempts. Please only interact with this attachment if you know its source and that the content is safe. If in doubt, confirm the legitimacy with the sender by phone.

Alexander and Marwan:

Please find attached and served on you (1) Defendant TD Bank USA, N.A.'s Notice of Deposition: Trans Union, LLC; and (2) the accompanying Subpoena to Testify at a Deposition in a Civil Action.

Please let me know if you have any questions. Thank you.

BRM

Brian Melendez | Partner

Barnes & Thornburg LLP

225 S. Sixth Street Suite 2800, Minneapolis, MN 55402

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